

24.09.2020
Item No. 12
Ct. No.19
PG

**W.P.A. 6314 of 2020
with
I.A. No. C.A.N. 1 of 2020
(Old No. C.A.N. 4807 of 2020)
(Via Video Conference)**

**Sujata Mondal (Roy)
Vs.
The State of West Bengal & Ors.**

Mr. Kamalesh Chandra Saha.....for petitioner

Mr. Vivek Jyoti Basu.....for State

Mr. Saha, learned advocate appears on behalf of petitioner and submits, certain persons entered into the demise, tried to outrage her modesty and assaulted her minor son. She complained to the Commissioner of Police, Barrackpore. Copy of the undated complaint is at page-9, transmitted by post on 2nd June, 2020. His client thereafter made a petition of complaint under section 156 (3) in Code of Criminal Procedure, 1973. The case came to be numbered as M.P 397 of 2020 before the Court of learned Additional Chief Judicial Magistrate at Barrackpore, North 24-Parganas.

There is an affidavit-of-service on file, which shows despatch by post but without track record.

Mr. Basu, learned advocate appears on behalf of State and submits, police have initiated Barrackpore P.S. Case no. 238 of 2020 dated 2nd July, 2020. He submits, petitioner has refused to record statement before the Magistrate under section 164 in the Code.

Petitioner has liberty to obtain and produce this order before the police station, for obtaining information on steps taken by the police in respect of the case initiated by them. Petitioner is also on notice regarding her requirement to make a statement, which, the police say, she has refused to do.

Police will file result of investigation before the Magistrate expeditiously.

With above observations, this writ petition and connected application are disposed of.

(Arindam Sinha, J.)